



42-08/PJG/PLS

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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x
EMPROS LINES SHIPPING CO. SP. S.A.,

08 CV 1319 (LBS)

Plaintiff,

**STIPULATION AND ORDER OF
 VOLUNTARY DISMISSAL AND
 RELEASE OF ATTACHED FUNDS**

-----x
TRICOAL (PTY) LTD.,

Defendant.

The Defendant not having appeared, answered or filed a motion for summary judgment, the above entitled action is hereby discontinued pursuant to F.R.C.P. 41(a)(1)(A)(i) with prejudice and without costs, and the Attachment issued in this action pursuant to Supplemental Rule B is hereby vacated and cancelled. Any garnishee holding funds pursuant to the Order of Attachment issued in this action is hereby directed to immediately release the funds from restraint.

Dated: New York, New York
 June 10, 2008

FREEHILL HOGAN & MAHAR, LLP
 Attorneys for Plaintiff
 EMPROS LINES SHIPPING CO. SP. S.A.,

By:

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So Ordered:

Sr. ordered / M
U.S.D.J.

6/11/08